

Sec. 5. *Initiation of Investigations.* (a) Within 90 days of the submission of the report required by section 1 of this part, the Trade Representative shall initiate under section 302(b)(1) of the Act (19 U.S.C. 2412(b)(1)) investigations with respect to any practice that:

- (1) was the basis for the identification of a country under section 1; and
- (2) is not at that time the subject of any other investigation or action under title III, chapter 1, of the Act,

unless during the 90-day period the Trade Representative determines that a satisfactory resolution of the matter to be investigated has been achieved.

(b) For investigations initiated under paragraph (a) of this section (other than an investigation involving the GPA or NAFTA), the Trade Representative shall apply the time limits and procedures in section 304(a)(3) of the Act (19 U.S.C. 2414(a)(3)). The time limits in subsection 304(a)(3)(B) of the Act (19 U.S.C. 2414(a)(3)(B)) shall apply if the Trade Representative determines that:

- (1) complex or complicated issues are involved in the investigation that require additional time;
- (2) the foreign country involved in the investigation is making substantial progress in drafting or implementing legislative or administrative measures that will end the discriminatory procurement practice; or
- (3) such foreign country is undertaking enforcement measures to end the discriminatory procurement practice.

PART III: DIRECTION

Section 1. *Presidential Direction.* The authorities delegated pursuant to this order shall be exercised subject to any subsequent direction by the President in a particular matter.

Sec. 2. *Consultations and Advice.* In developing the annual reports required by part I and part II of this order, the Trade Representative shall consult with executive agencies and seek information and advice from U.S. businesses in the United States and in the countries involved in the practices under consideration.

WILLIAM J. CLINTON

THE WHITE HOUSE,
March 31, 1999.

Executive Order 13117 of March 31, 1999

Further Amendment to Executive Order 12981, as Amended

By the authority vested in me as President by the Constitution and the laws of the United States of America and in order to further the implementation of the reorganization of the Arms Control and Disarmament Agency (ACDA) into the Department of State, in this instance by eliminating ACDA's vote on dual-use export license decisions in the administration of export controls, it is hereby ordered that Executive Order 12981, as amended ("Executive Order 12981"), is further amended as follows:

EO 13118**Title 3—The President**

Section 1. The second sentence of section 1 of Executive Order 12981 is amended by deleting “, and the Arms Control and Disarmament Agency”.

Sec. 2. The second sentence of section 5(a)(1)(A) of Executive Order 12981 is amended by adding “and” after “the Secretary of Defense” and before “the Secretary of Energy,” and deleting “, and the Director of the Arms Control and Disarmament Agency.”

Sec. 3. The first sentence of section 5(a)(2) of Executive Order 12981 is amended by deleting “, and the Arms Control and Disarmament Agency.”

Sec. 4. The second sentence of section 5(a)(3)(A) of Executive Order 12981 is amended by deleting “, and the Arms Control and Disarmament Agency.”

Sec. 5. The first sentence of section 6 of Executive Order 12981 is amended by deleting “and the Arms Control and Disarmament Agency”.

WILLIAM J. CLINTON

THE WHITE HOUSE,
March 31, 1999.

Executive Order 13118 of March 31, 1999**Implementation of the Foreign Affairs Reform and Restructuring Act of 1998**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 621 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2381), and section 301 of title 3, United States Code, it is hereby ordered as follows:

Section 1. Part 1–1 of Executive Order 12163, as amended, is amended to read as follows:

“1–1. DEPARTMENT OF STATE

“1–100. Delegation of Functions. (a) Exclusive of the functions otherwise delegated, or reserved to the President, by this order, Executive Order 12884, Executive Order 11579, and Executive Order 12757, and subject to the provisions of such orders, there are hereby delegated to the Secretary of State (referred to in this Part as the “Secretary”) all functions conferred upon the President by:

“(1) the Foreign Assistance Act of 1961 (22 U.S.C. 2151 *et seq.*) (“Act”);

(i) except that with respect to section 505(a) of the Act, such functions only insofar as those functions relate to other provisions which may be required by the President or only insofar as they relate to consent;

(ii) except that with respect to section 505(b) of the Act, such functions only insofar as those functions pertain to countries that agree to the conditions set forth therein;

“(2) section 1205(b) of the International Security and Development Cooperation Act of 1985 (“ISDCA of 1985”);